



**CITY OF FITCHBURG MASSACHUSETTS
CITY COUNCIL CALENDAR**

April 17, 2018 7:00PM

**Memorial Middle School Library
615 Rollstone Street
Fitchburg MA 01420**

WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATION FROM HIS HONOR THE MAYOR

Appointment Letters

1. Ms. Deanna Tardiff, as a member of the Fitchburg Disability Commission, for a term to expire May 1, 2019.
2. Mr. Joshua H. Bedarian, as a member of the Water/Wastewater Commission for a term to expire April 1, 2022.
3. Connor Griffin as a permanent full time Firefighter for the City of Fitchburg.

IV. COMMUNICATION

Atty. Vincent Pusateri, II, City Solicitor

RE: Amended Ordinance #031-2018

V. ANNUAL REPORT

- 105-18. ANNUAL REPORT: Of the City Clerk's Office for the Calendar year 2017.

VI. REPORTS OF COMMITTEES

Board of Health

- 194-17. Councillor Michael Kushmerek and resident Keith Conner to investigate and mitigate increased delays for resident use at city landfill.
(Installation of a "Fast Lane")

City Property Committee Oral Report
Meeting of April 17, 2018, 6:00 PM

- 315-17. Key Fitchburg, LLC, represented by Elisha W. Erb, Legal Counsel, to petition the City of Fitchburg's Public Works Department to accept a gift of land located on the east side of John Fitch Highway, Parcel 86-4, as described in the enclosed petition.
- 316-17. Key Fitchburg, LLC, represented by Elisha W. Erb, Legal Counsel, to petition the Fitchburg Conservation Commission to accept a gift of three parcels of land located on the east side of John Fitch Highway and small parcel of land at the corner of intersection of Proctor Avenue with Woodbury Street as described in the enclosed petition.

Finance Committee

Meeting of April 10, 2018, 6:00 PM

- 093-18. ORDERED THAT: There be and hereby is transferred from within the sum of THREE THOUSAND, ONE HUNDRED FIFTEEN AND 00/100 DOLLARS (\$3,115.00) same to be transferred from ELECTION & REGISTRATION, PERSONAL SERVICES, ELECTION WORKERS (\$2,634.00) and ELECTION & REGISTRATION, PERSONAL SERVICES, OVERTIME (\$481.00) and credited to CITY CLERK, PERSONAL SERVICES, ASSISTANT CITY CLERK (\$2,767.00) and CITY CLERK, PERSONAL SERVICES, OVERTIME (\$348.00)
(Be Adopted)
- 094-18. ORDERED THAT: There be and hereby is appropriated the sum of SIX HUNDRED AND 00/100 DOLLARS (\$600.00) same to be charged against AVAILABLE FUNDS and credited to CITY CLERK, PERSONAL SERVICES, OVERTIME.
(Be Adopted)
- 095-18. ORDERED THAT: There be and hereby is appropriated the sum of SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$65,000.00) same to be charged against AVAILABLE FUNDS and credited to COUNCIL ON AGING, BUILDING MAINTENANCE for the purpose of improving the air quality in the basement of the Senior Center.
(Be Adopted)
- 096-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Public Safety and Security grant in the approximate amount of \$4,418.40 (FOUR THOUSAND, FOUR HUNDRED EIGHTEEN AND 40/100 DOLLARS) for the purpose of said grant, which is to enhance effective pedestrian, bicycle, and moped-type enforcement.
(Be Adopted)

Planning Board

Meeting of April 10, 2018

- 102-18. The City of Fitchburg Planning Board, to amend section 181.13(c) 14-A of the Fitchburg Zoning Ordinance to allow "Seasonal Outdoor Dining" as a permitted use in the Industrial and Light Industrial districts, as shown on the attached.
(Be Granted)
(Scheduled for a City Council Hearing May 2, 2018)

VII. PUBLIC HEARINGS

- 100-18. Comcast of Massachusetts III, Inc., for a grant of location, to install a new underground conduit system to provide service to 29 and 37-43 Blossom Street.
- 101-18. Lt. Philip Jordan, Fire Prevention Bureau, and Kevin D. Roy, Chief of Fire Department, to revoke the land license for flammable/combustible storage at 938 Main Street, upon request of the land owner.

VIII. ORDERS-FINANCE

- 106-18. ORDERED THAT: The Honorable Mayor Stephen DiNatale is authorized on behalf of the City of Fitchburg to facilitate and execute the attached Community Host Benefit agreement with Garden Remedies, Inc. located at 307 Airport Road, Fitchburg, MA.
- 107-18. ORDERED THAT: There be and hereby is appropriated the sum of NINETY-ONE THOUSAND, FIVE HUNDRED NINETY-TWO DOLLARS (\$91,592.00), same to be charged against AVAILABLE FUNDS and credited to accounts as follows:
- | | |
|------------------------------------|----------|
| Police/Dispatch-Personal Services: | \$79,431 |
| Police/Dispatch-Overtime | \$ 9,000 |
| Treasurer-Personal Service | \$ 3,161 |
- 108-18. ORDERED THAT: There be and hereby is transferred the sum of SEVEN THOUSAND, FIVE HUNDRED SIXTY-EIGHT DOLLARS (\$7,568.00) from Airport Expenses, Aviation Fuel and credited to Airport, Personal Services.
- 109-18. ORDERED THAT: There be and hereby is transferred from within the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) same to be transferred from POLICE, PERSONAL SERVICES, INCENTIVES and credited to POLICE, OTHER EXPENSES, ANIMAL CONTROL.
- 110-18. ORDERED THAT: The City of Fitchburg hereby approves the expenditure of funds from the Massachusetts Executive Office of Health and Human Services, Department of Mental Health grant in the approximate amount of \$49,365.00 (FORTY-NIN THOUSAND, THREE HUNDRED SIXTY FIVE AND 00/100 DOLLARS) for the purpose of said grant, which is to support a police based jail Diversion Program for individuals with Mental Illnesses or emotional disturbances.

IX. ORDINANCES

- 066-18. AN ORDINANCE: Be it ordained by the City Council of the City of Fitchburg that Chapter 147-35 of the Code of the City of Fitchburg relative to the adoption of charges and fees, be and hereby is amended as follows; By inserting the following table of Chapter 147, Section 35.2;
(Revised Chart attached)
(Final Reading as amended to include the revised fees schedule)
- 099-18. AN ORDINANCE: That Chapter 120, Section 11 of the Code of the City of Fitchburg, entitled "Annual renewal certificate fees for flammable liquids", be deleted in its entirety.
(Final Reading)
- 031-18. AN ORDINANCE: **AS AMENDED:**
1. To add a new section 181.65, Marijuana Establishments, to regulate non-medical marijuana as outlined in the enclosed Ordinance.
 2. To amend the definitions of RMD, MMD and MMM in Section 181.10 to remove a requirement that the operator be a non-profit entity as follows.
 3. To add the following Section Regulating signs.
 4. to amend the requirements for site plan review by amending Section 181.9414 as follows.
 5. To amend the prohibited home occupations by adding the following to Section 181.333 (Prohibited Home Occupations)
(First Reading as amended)

X. PETITIONS

- 111-18. Anna M. Farrell, City Clerk, to amend the 2018 Schedule of Regular City Council Meetings as follows: Delete the meeting scheduled for Tuesday September 4, 2018, and replace with Thursday September 6, 2018. The Secretary of State has set Tuesday, September 4, 2018 as the date for the State Primary.
- 112-18. Councillors Joel Kaddy and Marcus DiNatale, to place a stop sign at the intersection of Parker Hill Drive and Brierwood Drive.
(Public Safety Committee)

- 113-18. Councillor Michael Kushmerek, to repair or replace a plow-damaged berm located at 64 Ryefield Road.
(Public Works Committee)
- 114-18. Councillor Michael Kushmerek, to repair or replace a Plow-damaged berm located at 326 Blossom Street.
(Public Works Committee)

Next Regular Meeting
Tuesday, May 1, 2018, 7:00 PM